

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JAMES NYGAARD,

Plaintiff,

vs.

JOHN P. CHEATHAM, M.D.,

Defendant.

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8:05CV403

ORDER

This case is before the court on the Plaintiff's Motion in Limine (#51). The motion is granted, and the defendant is prohibited from presenting, either through witness testimony, documentation, or comments of counsel, the following issues:

1. Testimony that the plaintiff used marijuana on two occasions, sometime after the alleged malpractice.
2. Testimony from physicians other than Doctors Berger, Watson, Cheatham, and Mullins as to standard of care. Additionally, testimony from doctors who provided treatment to the plaintiff and have not been designated as experts as to standard of care, are specifically limited and may only provide factual testimony concerning their respective treatment of the plaintiff.

IT IS ORDERED:

Plaintiff's Motion in Limine (#51) is granted.

Dated this 20th day of September 2007.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge